

IDS - 01/26/2004

S/N 10/616,868

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| Applicant: | RIGAL, et al. | Examiner: | Unknown Marcia Noble |
| Serial No.: | 10/616,868 | Group Art Unit: | Unknown 1632 |
| Filed: | July 10, 2003 | Docket No.: | 8076.294USW1 |
| Title: | METHOD FOR PROCESSING DENDRITIC CELLS AND FOR ACTIVATING MACROPHAGES WITH RU 41740 | | |

CERTIFICATE UNDER 37 CFR 1.10:

"Express Mail" mailing label number: EV 372668486 US

Date of Deposit: January 26, 2004

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Commissioner for Patents, Mail Stop Missing Parts, P.O. Box 1450, Alexandria, VA 22313-1450.

By:

Teresa Anderson

Name: Teresa Anderson

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner. At least some of the references were recently cited in an International Search Report mailed August 26, 2002.

This statement should be considered because it is submitted before the mailing date of a first Office Action on-the-merits. Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F.R. §1.98(a)(2), a copy of each document or other information listed on the enclosed Form 1449 is provided. Enclosed for the Examiner's information is a copy of the International Search Report.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a

reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, MN 55402-0903
(612)332.5300

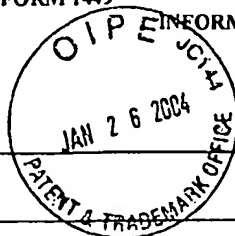
Dated: January 26, 2004

By: Katherine M. Kowalchyk
Katherine M. Kowalchyk
Reg. No.: 36,848

KMK/pjk



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| FORM 1449* INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary) | Docket Number: 8076.294USWI | Application Number: 10/616,868 |
| | Applicant: RIGAL, et al. | |
| | Filing Date: July 10, 2003 | Group Art Unit: Unknown 1632 |



| U.S. PATENT DOCUMENTS | | | | | | |
|-----------------------|--------------|------|------|-------|----------|----------------------------|
| EXAMINER INITIAL | DOCUMENT NO. | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
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| FOREIGN PATENT DOCUMENTS | | | | | | | |
|--------------------------|--------------|----------------|---------|-------|----------|-------------|----|
| | DOCUMENT NO. | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION | |
| | | | | | | YES | NO |
| MN | 99/50391 | October, 1999 | WIPO | | | | |
| MN | 0 808 897 | November, 1997 | EPO | | | | |
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| OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) | | |
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| MN | | Goxe, et al., "Simplified Method to Generate Large Quantities of Dendritic Cells Suitable Clinical Applications" Immunological Investigations, vol. 29, no. 3, August, 2000, pages 319-336 |
| | | Whelan, et al., "A filarial nematode-secreted product signals dendritic cells to acquire a phenotype that drives development of TH2 cells", J. Immunol., vol. 164, 2000, pages 6453-6460 |
| | | Garin, et al., "RU 41740 (Biostim) and IL-4, or IL-13, have opposite effects on CD14, CD23, HLA-DR and HLA-DQ on monocytes", International Journal of Immunopharmacology, vol. 18, no. 1, 1996, pages 69-74 |
| | | Blomgen, et al., "Responsiveness of Human Monocytes to RU 41740 Biostim Influence of Preincubation in - vitro", Anticancer Research, vol. 11, no. 5, 1991, pages 1849-1854 |
| | | Sozzani, et al., "In-vitro Modulation of Human Monocytes Functions by RU-41740 Biostim", International Journal of Immunopharmacology", vol. 10, no. 2, 1988, pages 93-102 |
| | | Estaquier, et al., "The immunomodulating glycoprote in extract from Klebsiella pneumoniae RU 41740 exerts a suppressive effect on human monocyte death by apoptosis", Immunopharmacology, vol. 39, no. 2, may, 1998, pages 157-164 |
| MN | | Capsoni, et al., "Increased Expression of C3B and C3BI Receptors on Human Neutrophils and Monocytes Induced by a Glycoprotein Extract from Klebsiella pneumoniae RU 41740" , International Journal of Immunopharmacology, vol. 10, no. 2, 1998, pages 121-133 "In vitro and ex vivo effect 1988 of RU41740 on human polymorphonuclear leucocyte function" |

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PATENT TRADEMARK OFFICE

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|---|----------------|----------------------------|
| EXAMINER Marcia S. Noble | /Marcia Noble/ | DATE CONSIDERED 06/15/2006 |
| EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant. | | |